

175
80-230-A
75

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Richard J. Rudick and
I, or we, Patricia Snyder, legal owner... of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition for a Variance from Section 1802.30.1 to permit a side
yard setback of 2 1/2' instead of the required 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the
following reasons: (Indicate hardship or practical difficulty)

Entrance to the existing house and driveway is located on the
east side of the existing dwelling, therefore the proposed location is
more feasible. In addition, topography on the south side slopes away
from the dwelling and this would require additional grading and fill.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, and further agree to and are to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser
Address: 7 Church Road
Owings Mills, MD 21117
Petitioner's Attorney
Protestant's Attorney
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day

of March 1980 that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore
County, on the 12th day of May, 1980 at 9:30 o'clock
A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S of Church Rd., 225'
N of Pleasant Hill Rd., 4th District : OF BALTIMORE COUNTY
RICHARD J. RUDICK, et al, Petitioners : Case No. 80-230-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County
Charter, I hereby enter my appearance in this proceeding. You are requested to notify
me of any hearing date or dates which may be now or hereafter designated therefore,
and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing
Order was mailed to Mr. Richard Rudick and Ms. Patricia Snyder, 7 Church Road, Owings
Mills, Maryland 21117, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Richard Rudick
7 Church Road
Owings Mills, Maryland 21117

cc: Mr. Edward Dee
1804 Willow Spring Rd.
Baltimore, Md. 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 1st day
of March, 1980.

William E. Hammond
Zoning Commissioner

Petitioner: Richard Rudick, et al
Petitioner's Attorney

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. Richard Rudick
7 Church Road
Owings Mills, Maryland 21117

RE: Item No. 175
Petitioners-Richard Rudick, et al
Variance Petition

Dear Mr. Rudick:

The Zoning Plans Advisory Committee has reviewed the plans
submitted with the above referenced petition. The following comments
are not intended to indicate the appropriateness of the zoning action
requested, but to assure that all parties are made aware of plans or
problems with regard to the development plans that may have a bearing
on this case. The Director of Planning may file a written report with
the Zoning Commissioner with recommendations as to the suitability
of the requested zoning.

Because of your proposal to construct a garage to the side of
the existing dwelling attached with a breezeway within 2-1/2' of the
side property line, this Variance hearing is required. A review of
the submitted plan indicates that the garage will be located 3' from
the property line. However, after conversation with your builder,
Mr. Dee, he indicated that the petition forms as submitted, i.e.
requesting a 2-1/2' side setback is what the request should be.
This was done in order to allow some flexibility in the construction
stage if the petition is granted.

Particular attention should be afforded to the comments of
the Department of Permits and Licenses concerning the type of
construction of the east wall of the proposed garage.

Enclosed are all comments submitted to this office from
the committee members at this time. The remaining members
felt that no comment was warranted. This petition was accepted

Item No. 175
Variance Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing
scheduled accordingly.

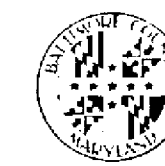
Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Mr. Edward Dee
1804 Willow Spring Road
Baltimore, Md. 21222



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 31, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #175 (1979-1980)
Property Owner: Richard Rudick & Patricia Snyder
W/S Church Rd. 225' N. Pleasant Hill Rd.
Existing Zoning: DR 3.5
Proposed Zoning: Variance to permit a side setback of
2.5' in lieu of the required 10'.
Acres: 3.48 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office
for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

The proposed Northwest Expressway is a State Road; therefore, all improvements,
intersections, entrances and drainage requirements as they affect the road come under
the jurisdiction of the Maryland State Highway Administration. Any utility con-
struction within the State Road right-of-way will be subject to the standards, speci-
fications and approval of the State in addition to those of Baltimore County.

Church Road, an existing public road, is proposed to be improved in the future as
a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way
widening, including any necessary reversible easements for slopes, will be required
in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings downstream
of the property. A grading permit is, therefore, necessary for all grading, includ-
ing the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent)
to prevent creating any nuisances or damages to adjacent properties, especially by the
concentration of surface waters. Correction of any problem which may result, due to
improper grading or improper installation of drainage facilities, would be the full
responsibility of the Petitioner.

Item #175 (1979-1980)
Property Owner: Richard Rudick & Patricia Snyder
Page 2
March 31, 1980

Water and Sanitary Sewer:

There is a public 12-inch water main in Church Road. Public sanitary sewerage
is not available to serve this property, which though not indicated, is utilizing
private onsite sewage disposal.

This property is outside of the Baltimore County Metropolitan District and
within the Urban-Rural Demarcation Line. Baltimore County Sewerage Plan S-16A
indicates "Planned Service" in 6 to 10 years.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Trenner
J. Somers

T-5W Key Sheet
48 NW 36 & 37 Pos. Sheets
NW 12 I & J Topo
58 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in a practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of June, 1980, that the herein Petition for Variance to permit a side yard setback of 2 1/2 feet in lieu of the required 10 feet, for the expressed purpose of constructing a garage 24 feet long and 36 feet wide and a breezeway, in accordance with the site plan prepared by M.D. Bower Associates, Inc., dated February 18, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The garage shall only be used for the storage of two antique automobiles and other residentially required equipment or motor vehicles.
2. No motor-driven vehicle, whether driven by gasoline, diesel, or electricity, shall be equipped for operation, repaired, or kept for remuneration, hire, or sale.
3. No machinery of any type, requiring electrical current for its power source in excess of that used for residential purposes, shall be kept, maintained, or used.
4. No windows or other openings shall be constructed or provided in the east wall of the garage, and the construction shall be with a one-hour fire rating material.
5. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

Mac E. St.
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: Richard Rudick and Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 2.5' in lieu of the required 10'.
Acres: 3.48
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

March 21, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit side setback of 2.5' in lieu of the required 10'
Acres: 3.48
District: 4

The existing house is presently served by metropolitan water and a private sewage disposal system. The existing sewage disposal system is functioning properly and the proposed garage will not interfere with it's location, therefore, no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/LW



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 20, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Rd. 225' N. Pleasant Hill Rd.
Item No: 175 Zoning Agenda: Meeting of 3/4/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "r" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *Est. 4-16-80* Noted and Approved: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 2.5' in lieu of the required 10'
Acres: 3.48
District: 4th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction. _____ may be _____
- X C. Residential: Three sets of construction drawings/_____ required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed comply with the height/area requirements of Table 205 and the required construction classification of Table 211.
- X I. Comments - East wall of garage shall be an approved one hour fire rated wall without openings.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #192 (Plans Review) at 111 West Chesapeake Ave., Towson.

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 3, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 4, 1980

RE: Item No: 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR VARIANCE

4th District

ZONING: Petition for Variance for side yard setback
LOCATION: West side of Church Road, 225 feet North of Pleasant Hill Road
DATE & TIME: Tuesday, May 13, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 2 1/2 feet in lieu of the required 10 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3C.1 - side yard setback

All that parcel of land in the Fourth District of Baltimore County

Being the property of Richard J. Rudick, et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 13, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: John D. Seyfery, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 80-230-A Item 175

Date: April 22, 1980

Petition for Variance for side yard setback
West side of Church Road, 225 feet North of Pleasant Hill Road
Petitioner - Richard J. Rudick, et al

Fourth District

HEARING: Tuesday, May 13, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyfery
John D. Seyfery, Director
Office of Planning and Zoning

JDS:JGH:ab

Mr. & Mrs. Richard Rudick
7 Church Road
Owings Mills, Maryland 21117

April 16, 1980

NOTICE OF HEARING

RE: Petition for Variance - W/S of Church Rd., 225' N Pleasant Hill Road - Case No. 80-230-A

TIME: 9:30 A.M.

DATE: Tuesday, May 13, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

cc: Mr. Ed Dee
Kitchen Builders
1804 Willow Spring Road
Baltimore, Maryland 21222

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 1, 1980

Kitchen Builders
c/o Mr. Ed Dee
1804 Willow Spring Road
Baltimore, Maryland 21222

RE: Petition for Variance
W/S Church Rd., 225' N of Pleasant Hill Road - Richard Rudick, et al
Case No. 80-230-A

Dear Mr. Dee:

This is to advise you that \$43.16 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

cc: Mr. Richard Rudick
Ms. Patricia Snyder
7 Church Road
Owings Mills, Maryland 21117

DESCRIPTION FOR VARIANCE
4TH ELECTION DISTRICT

Beginning on the West side of Church Road, 225 feet North of Pleasant Hill Road and running thence South 72° 01' West, 205.19 feet; thence North 15° 31' West, 228.06 feet; thence South 74° 29' West, 400.42 feet; thence South 45° 05' East, 609.38 feet; thence North 59° 27' East, 132.32 feet; thence North 16° 30' West, 231.0 feet; thence North 72° 43' East, 181.0 feet to the West side of Church Road; thence North 15° 31' West, 40.0 feet to the point of beginning.

Also known as 7 Church Road. Contains 3.48 acres.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 11, 1980

Mr. & Mrs. Richard J. Rudick
7 Church Road
Owings Mills, Maryland 21117

RE: Petition for Variance
W/S of Church Road, 225' N of Pleasant Hill Road - 4th Election District
Richard J. Rudick, et ux - Petitioners
NO. 80-230-A (Item No. 175)

Dear Mr. & Mrs. Rudick:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

cc: Kitchen Builders
c/o Mr. Ed Dee
1804 Willow Spring Road
Baltimore, Maryland 21222

John W. Hessian, Esquire
People's Counsel

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 25 day of April, 1980.

Filing Fee \$25 Received: Check
Cash
Other

Petitioner: Richard J. Rudick, et al
Submitted by: Ed Dee
Reviewed by: William E. Hammond, Zoning Commissioner

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th
Date of Posting: April 26, 1980

Posted for: Petition for Variance
Petitioner: RICHARD J. RUDICK, ET AL
Location of property: W/S CHURCH RD., 225' N PLEASANT HILL ROAD
Location of Signs: W/S CHURCH RD. AT ENTRANCE RD. TO #7 CHURCH RD.
Remarks: [Signature]
Posted by: [Signature]
Date of return: MAY 2, 1980

DUPLICATE CERTIFICATE OF PUBLICATION

TOWSON, MD. April 26, 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. 3000-10, each of one (1) successive weeks before the 12th day of May, 1980, the first publication appearing on the 24th day of April, 1980.

THE JEFFERSONIAN
[Signature]
Manager.

Cost of Advertisement, \$ 71.00

Office of
COLUMBIA PUBLISHING CORP.
10750 Little Patuxent Parkway
Columbia, MD 21044

19

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variance 4th District was inserted in the following:

☐ Catonsville Times
☒ Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of April, 1980, that is to say, the same was inserted in the issues of 4/24/80.

COLUMBIA PUBLISHING CORP.
By [Signature]

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u> </u>										

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86392

DATE: April 14, 1980 ACCOUNT: 01-662 AMOUNT: \$25.00

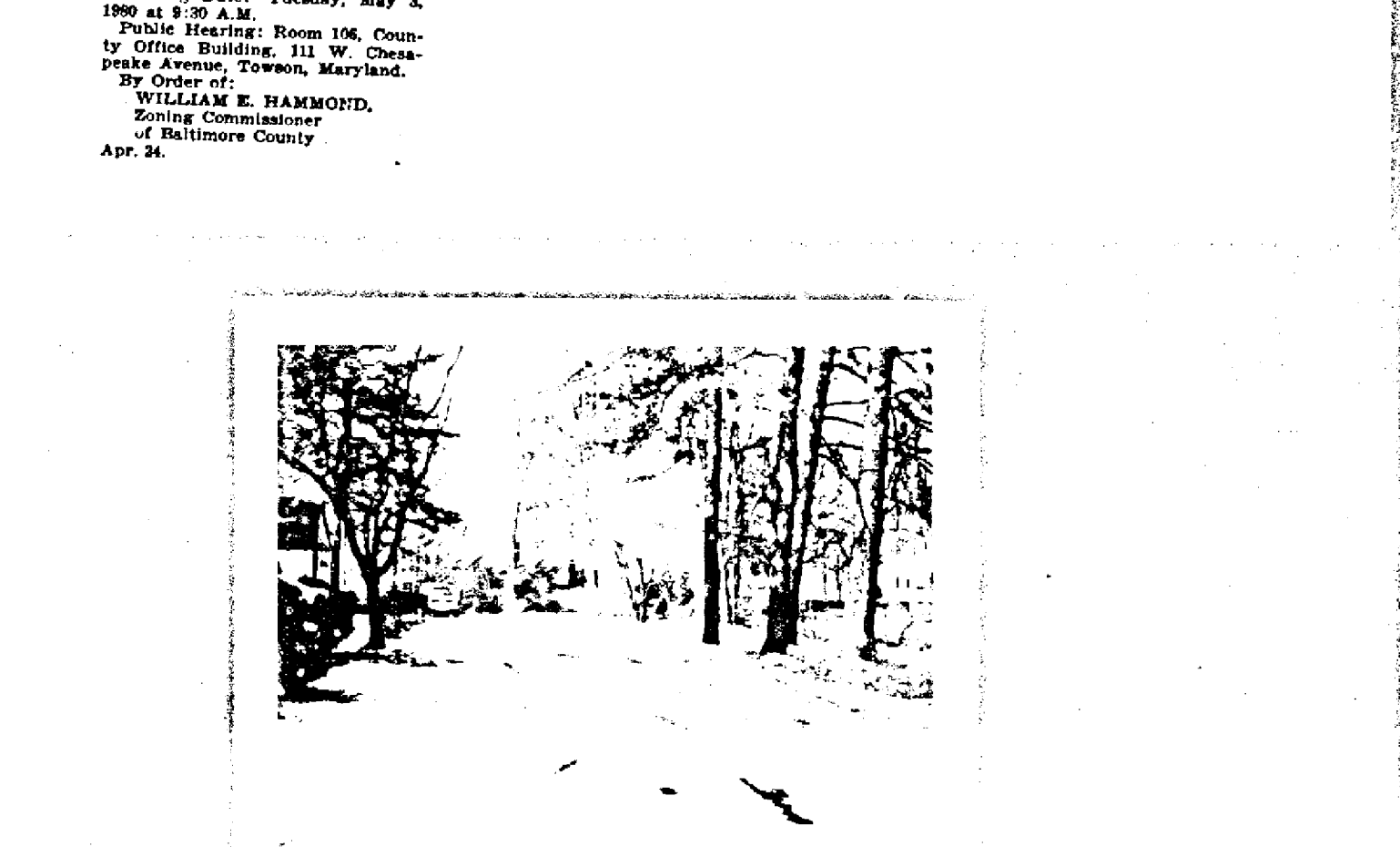
RECEIVED FROM: Kitchen Builders FOR: Filing Fee for Case No. 80-230-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 088815

DATE: May 12, 1980 ACCOUNT: 01-662 AMOUNT: \$13.15

RECEIVED FROM: Kitchen Builders FOR: Advertising and Posting for Case No. 80-230-A



IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

175
80-230-A
75

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Richard J. Rudick and
I, or we, Patricia Snyder, legal owner... of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition for a Variance from Section 1802.30.1 to permit a side
yard setback of 2 1/2' instead of the required 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the
following reasons: (Indicate hardship or practical difficulty)

Entrance to the existing house and driveway is located on the
east side of the existing dwelling, therefore the proposed location is
more feasible. In addition, topography on the south side slopes away
from the dwelling and this would require additional grading and fill.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, and further agree to and are to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____ Legal Owner _____
Address: 7 Church Road
Owings Mills, MD 21117
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of March 1980 that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore
County, on the 12th day of May, 1980 at 9:30 o'clock
A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S of Church Rd., 225'
N of Pleasant Hill Rd., 4th District : OF BALTIMORE COUNTY
RICHARD J. RUDICK, et al, Petitioners : Case No. 80-230-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County
Charter, I hereby enter my appearance in this proceeding. You are requested to notify
me of any hearing date or dates which may be now or hereafter designated therefore,
and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing
Order was mailed to Mr. Richard Rudick and Ms. Patricia Snyder, 7 Church Road, Owings
Mills, Maryland 21117, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Richard Rudick
7 Church Road
Owings Mills, Maryland 21117

cc: Mr. Edward Dee
1804 Willow Spring Rd.
Baltimore, Md. 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ day
of March, 1980.

William E. Hammond
Zoning Commissioner

Petitioner: Richard Rudick, et al
Petitioner's Attorney _____

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Richard Rudick
7 Church Road
Owings Mills, Maryland 21117

RE: Item No. 175
Petitioners-Richard Rudick, et al
Variance Petition

Dear Mr. Rudick:

The Zoning Plans Advisory Committee has reviewed the plans
submitted with the above referenced petition. The following comments
are not intended to indicate the appropriateness of the zoning action
requested, but to assure that all parties are made aware of plans or
problems with regard to the development plans that may have a bearing
on this case. The Director of Planning may file a written report with
the Zoning Commissioner with recommendations as to the suitability
of the requested zoning.

Because of your proposal to construct a garage to the side of
the existing dwelling attached with a breezeway within 2-1/2' of the
side property line, this Variance hearing is required. A review of
the submitted plan indicates that the garage will be located 3' from
the property line. However, after conversation with your builder,
Mr. Dee, he indicated that the petition forms as submitted, i.e.
requesting a 2-1/2' side setback is what the request should be.
This was done in order to allow some flexibility in the construction
stage if the petition is granted.

Particular attention should be afforded to the comments of
the Department of Permits and Licenses concerning the type of
construction of the east wall of the proposed garage.

Enclosed are all comments submitted to this office from
the committee members at this time. The remaining members
felt that no comment was warranted. This petition was accepted

Item No. 175
Variance Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing
scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Mr. Edward Dee
1804 Willow Spring Road
Baltimore, Md. 21222



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

March 31, 1980

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office
for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

The proposed Northwest Expressway is a State Road; therefore, all improvements,
intersections, entrances and drainage requirements as they affect the road come under
the jurisdiction of the Maryland State Highway Administration. Any utility con-
struction within the State Road right-of-way will be subject to the standards, speci-
fications and approval of the State in addition to those of Baltimore County.

Church Road, an existing public road, is proposed to be improved in the future as
a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way
widening, including any necessary reversible easements for slopes, will be required
in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings downstream
of the property. A grading permit is, therefore, necessary for all grading, includ-
ing the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent)
to prevent creating any nuisances or damages to adjacent properties, especially by the
concentration of surface waters. Correction of any problem which may result, due to
improper grading or improper installation of drainage facilities, would be the full
responsibility of the Petitioner.

Item #175 (1979-1980)
Property Owner: Richard Rudick & Patricia Snyder
Page 2
March 31, 1980

Water and Sanitary Sewer:

There is a public 12-inch water main in Church Road. Public sanitary sewerage
is not available to serve this property, which though not indicated, is utilizing
private onsite sewage disposal.

This property is outside of the Baltimore County Metropolitan District and
within the Urban-Rural Demarcation Line. Baltimore County Sewerage Plan S-16A
indicates "Planned Service" in 6 to 10 years.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Trenner
J. Somers

T-5W Key Sheet
48 NW 36 & 37 Pos. Sheets
NW 12 I & J Topo
58 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in a practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of June, 1980, that the herein Petition for Variance to permit a side yard setback of 2 1/2 feet in lieu of the required 10 feet, for the expressed purpose of constructing a garage 24 feet long and 36 feet wide and a breezeway, in accordance with the site plan prepared by M.D. Bower Associates, Inc., dated February 18, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The garage shall only be used for the storage of two antique automobiles and other residentially required equipment or motor vehicles.
2. No motor-driven vehicle, whether driven by gasoline, diesel, or electricity, shall be equipped for operation, repaired, or kept for remuneration, hire, or sale.
3. No machinery of any type, requiring electrical current for its power source in excess of that used for residential purposes, shall be kept, maintained, or used.
4. No windows or other openings shall be constructed or provided in the east wall of the garage, and the construction shall be with a one-hour fire rating material.
5. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

Mac E. St.
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175, Zoning Advisory Committee Meeting, March 4, 1980, are as follows:

Property Owner: Richard Rudick and Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 2.5' in lieu of the required 10'.
Acres: 3.48
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

March 21, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175, Zoning Advisory Committee meeting of March 4, 1980, are as follows:

Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit side setback of 2.5' in lieu of the required 10'
Acres: 3.48
District: 4

The existing house is presently served by metropolitan water and a private sewage disposal system. The existing sewage disposal system is functioning properly and the proposed garage will not interfere with it's location, therefore, no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/LW



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 20, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Rd. 225' N. Pleasant Hill Rd.
Item No: 175 Zoning Agenda: Meeting of 3/4/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "r" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *Est. 4-16-80* Noted and Approved: *George M. Hagan*
Planning Group Fire Prevention Bureau
Special Inspection Division



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

April 1, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #175 Zoning Advisory Committee Meeting, March 4, 1980 are as follows:

Property Owner: Richard Rudick & Patricia Snyder
Location: W/S Church Road 225' N. Pleasant Hill Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 2.5' in lieu of the required 10'
Acres: 3.48
District: 4th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction. _____ may be _____
- X C. Residential: Three sets of construction drawings/_____ required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed comply with the height/area requirements of Table 205 and the required construction classification of Table 211.
- X I. Comments - East wall of garage shall be an approved one hour fire rated wall without openings.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #192 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 3, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 4, 1980

RE: Item No: 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR VARIANCE

4th District

ZONING: Petition for Variance for side yard setback
LOCATION: West side of Church Road, 225 feet North of Pleasant Hill Road
DATE & TIME: Tuesday, May 13, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 2 1/2 feet in lieu of the required 10 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3C.1 - side yard setback

All that parcel of land in the Fourth District of Baltimore County

Being the property of Richard J. Rudick, et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 13, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: John D. Seyfery, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 80-230-A Item 175

Date: April 22, 1980

Petition for Variance for side yard setback
West side of Church Road, 225 feet North of Pleasant Hill Road
Petitioner - Richard J. Rudick, et al

Fourth District

HEARING: Tuesday, May 13, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyfery
John D. Seyfery, Director
Office of Planning and Zoning

JDS:JGH:ab

